

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-051953

01/09/2017

HONORABLE MICHAEL C. BLAIR

CLERK OF THE COURT

T. Blachut

Deputy

IN RE THE MATTER OF
JAMIE DELL ADAIR

JAMIE DELL ADAIR
10825 N CAVE CREEK RD
PHOENIX AZ 85020

AND

JOSUE ORTIZ ARRIOLA

JOSUE ORTIZ ARRIOLA
1336 E PEIRCE ST
PHOENIX AZ 85006

AG-CHILD SUPPORT-SOUTH
CENTRAL OFFICE

TRIAL SET

Courtroom CCB 701

2:56 p.m. This is the time set for Resolution Management Conference regarding Respondent's September 6, 2016 *Petition to Establish Legal Decision Making and Parenting Time*. Petitioner/Mother, Jamie Dell Adair, is present on her own behalf. Respondent/Father, Josue Ortiz Arriola, is present on his own behalf.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held with the Court regarding the status of the case.

Based upon the discussion held,

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LET THE RECORD REFLECT that if the parties are unable to agree upon Father's plans to travel with the minor child out of the country, then Father will file a pleading requesting that the Court allow out of country travel with the minor child, and Mother will file a response thereto, for the Court to consider at the Trial set below.

IT IS ORDERED setting Trial to the Court on **March 21, 2017 at 2:30 p.m.** (2 Hours Allotted) in this Division before:

**The Honorable Michael C. Blair
Central Court Complex
201 W. Jefferson
Seventh Floor - Courtroom 701
Phoenix, AZ 85003**

Failure of a party to appear may result in the Court allowing the party who does appear to proceed by default. Failure of both parties to appear may result in this action being dismissed.

Each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least 30 days prior to the hearing setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

IT IS FURTHER ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits no later than **February 21, 2017**.
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed at least 15 days prior to trial.
3. Counsel and both parties shall personally meet, face to face, at least ten (10) days prior to trial to conduct settlement discussions, prepare a Joint Pretrial Statement, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.

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4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

IT IS FURTHER ORDERED that the parties shall file and provide this division with a copy of a Joint Pretrial Statement pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than **March 14, 2017**.

IT IS FURTHER ORDERED that the Joint Pretrial Statement shall include:

1. A reference to the most recent Affidavit of Financial Circumstances completed by each party.
2. If there are disputed custody, access or visitation issues, a specific proposal for custody and parenting time.
3. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.
5. If there are disputed issues regarding division of property, a current and detailed Inventory of Property and Debts, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the Court prefers a one-page statement of all property except personal property items valued at less than \$500 each.
6. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
7. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt

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was incurred, who should pay the debt, and all of the information required by A.R.S. §25-318(H).

8. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed submitted in accordance with the requirements of Rule 78(D), Arizona Rules of Family Law Procedure.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), Arizona Rules of Family Law Procedure, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

IT IS FURTHER ORDERED that the parties and, if represented, counsel shall provide to the clerk of this division any exhibits they shall seek to admit into evidence. **All exhibits must be clearly identified, separated by a COLORED sheet and hand delivered to the Clerk of this Division no later than 11:00 a.m. on March 14, 2017. All exhibits shall be hand-delivered directly to court staff at this Division's suite.** A complete additional set of exhibits for the Bench shall be delivered at the same time as the exhibits for marking, preferably in three-hole binders with numbered dividers. No Trial exhibits shall be presented for marking that have not been previously exchanged. No duplicate exhibits shall be presented for marking. If any individual exhibit exceeds ten (10) pages in length, each page of said exhibit shall be Bates stamped (or the pages shall be numbered). **Failure to obey these orders may result in exclusion of the exhibit and/or waiver of objections.**

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

IT IS FURTHER ORDERED that any party filing a request for findings of fact and conclusions of law pursuant to Rule 82, Arizona Rules of Family Law Procedure, shall submit proposed findings of fact and conclusions of law to this division no later than 20 days prior to trial. Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than 10 days prior to trial.

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You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt and child support. To request conclusions of fact and law, you must file a written request with the Court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the Court will make conclusions of fact and law as part of the final decision.

If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word.

Continuances, postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

NOTE: All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

3:22 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.